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6 Counsel for Defendant HICKEY
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-07-634 MMC
)	
12 Plaintiff,)	
)	STIPULATION AND PROPOSED
13 vs.)	ORDER TO CONTINUE SENTENCING
)	DATE
14 DANIEL HICKEY,)	
)	Date: March 26, 2008
15 Defendant.)	Time: 2:30 p.m.
)	Court: The Honorable Maxine M. Chesney
16)	

17
18 Undersigned counsel stipulate as follows:

- 19 1. Sentencing in this matter is currently set for March 26, 2008, at 2:30 p.m.;
- 20 2. Both the USPO assigned to the case, as well as defense counsel received earlier
21 this week approximately 1,000 pages of Mr. Hickey's medical records. Defense
22 counsel needs time to review these records in order to file sufficient objections to
23 the Presentence Report;
- 24 3. Government counsel and defense counsel have also made arrangements for the
25 viewing of computer images that are relevant to certain enhancements. Due to
26 scheduling difficulties, this meeting could not be arranged prior to the time

1 defense counsel's objections are due for the Presentence Report (February 30,
2 2008). Defense counsel needs to view the images prior to filing a final objection
3 letter with the Probation Department for the Presentence Report;

4 4. Defense counsel requests a continuance of the sentencing for the purpose of
5 allowing her to view and count the relevant images and their locations, as well as
6 review the 1000 pages of medical records and prepare a summary and a PSR
7 objection letter for the Probation Department that reflects the diagnoses contained
8 in the medical records, for the purpose of arguing that a departure is appropriate
9 on these grounds;

10 5. Government counsel has no opposition to the request for a continuance of the
11 sentencing date for this purpose. Government counsel is unavailable April 9 or
12 April 16, 2008. As such, the parties have agreed on April 23, 2008, at 2:30 p.m.;

13 6. USPO Jessica Goldsberry has been contacted by government counsel, and has no
14 objection to a continuance of the sentencing date to April 23, 2008 at 2:30 p.m.

15
16 **IT IS SO STIPULATED**

17 Dated: February 28, 2008

18 _____/S/
ELIZABETH M. FALK
Assistant Federal Public Defender

19
20 Dated: February 28, 2008

21 _____/S/
ALLISON M. DANNER
Assistant United States Attorney

22
23 **~~PROPOSED~~ ORDER**

24 GOOD CAUSE APPEARING, it is hereby ORDERED that the sentencing date in the

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aforementioned matter currently set for March 26, 2008, is vacated. The sentence date shall be continued to April 23, 2008 at 2:30 p.m.

IT IS SO ORDERED.

Dated: February 29, 2008

Maxine M. Chesney
 THE HONORABLE MAXIMINE CHESNEY
 UNITED STATES DISTRICT JUDGE